HIGH COURT OF UTTARANCHAL AT NAINITAL

Civil Revision No. 83 of 2001

(Old No. 94/1993)

Niranjan Kumar ..... Revisionist

Versus

Thakur Dass Tejwani .....Respondent

Hon. Rajesh Tandon, J.

Present revision has been filed against the judgment and order dated 15.2.1993, 0passed by the Judge, Small Cause Court, Nainital.

The Respondent/plaintiff has filed a suit for eviction and recovery of rent and damages against the revisionist/defendant. The learned Judge Small Causes Court has framed five points for determination and has held that the defendant had not paid the rent to the plaintiff from 1.7.1987 and thus the plaintiff is entitled to recover arrears of rent for Rs.18,000/- and damages of Rs.216.70 till the date of filing of the suit and thereafter damages @ Rs. 16.67 per day.

After the file has been transferred from Allahabad High Court notices were issued to the parties but despite of service, none appears for the revisionist to press the revision.

I have gone through the record. I find no illegality or infirmity in the order passed by the Judge, Small Causes Court,

Nainital as admittedly the defendant was in arrears of rent when the notice for demand was served and has failed to pay the same in order to save his eviction.

The revision is, therefore, dismissed. No order as to costs.

(Rajesh Tandon, J.)

30.07.2004
Dhyani